

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**In re:**

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,**

**Debtor.**

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)  
) **Adv. Pro. No. 08-01789**  
) **(SMB)**

)  
) **SIPA LIQUIDATION**

)  
) **(Substantively Consolidated)**

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**IRVING H. PICARD, Trustee for the  
Liquidation of Bernard L. Madoff Investment  
Securities LLC,**

**Plaintiff,**

**v.**

)  
) **Adv. Pro. No. 09-01364**  
) **(SMB)**

**ALPHA PRIME FUND LIMITED *et al.*,**

**Defendants.**

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**[PROPOSED] ORDER ISSUING A LETTER OF REQUEST  
FOR SERVICE ABROAD OF JUDICIAL OR  
EXTRAJUDICIAL DOCUMENTS IN CIVIL OR  
COMMERCIAL MATTERS**

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Upon the Motion (the “Motion”), dated November 30, 2020, brought by Alpha Prime Fund Ltd. (“Alpha Prime”) seeking entry of an Order (the “Order”) issuing a Letter of Request (as defined in the Motion) to be transmitted, via the appropriate channels, to the applicable court in Austria to obtain the testimony of Anton Koller; and it appearing that due and sufficient notice of the Motion has been given under the circumstances; and it further appearing that the relief sought in the Motion is appropriate based upon the information provided in the Motion and in the record; and it further appearing that this Court has jurisdiction to consider the Motion and the relief

requested therein pursuant to 28 U.S.C. §§ 157 and 1334(b); and after due deliberation; and sufficient cause appearing therefor; it is hereby

**ORDERED** that the Motion is granted; and it is further

**ORDERED** that the Letter of Request, in the form submitted with the Motion, shall be signed and sealed by the Court for transmission to the appropriate judicial authority in Austria so that valid service of process may be effectuated upon Anton Koller.

Dated: New York, New York  
December \_\_, 2020

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HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE